

Development Code

Urban Agriculture



City Planning & Development Department
Kansas City, Missouri

Crop Agriculture

- *Crop Agriculture is the category that has permitted growing and harvesting of crops in any district in the city, including residential, for many years.*
- *One might say that Kansas City has been ahead of many cities by permitting this.*
- *Crop Agriculture is allowed on a vacant lot or parcel, where there is not a home or building. This has allowed an individual or individuals to farm a vacant lot or parcel, regardless of the zoning.*
- *If there is a home or other building on a lot or parcel, the home or building becomes the principal use and the agricultural use becomes the secondary use.*
- *This was determined to be a ‘home occupation’; therefore, employees or on-site sales have not previously been allowed.*

Under the “old” code . . .

If there is no residence on the property, “crop agriculture” is permitted in all districts, including residential , as follows:

“Agriculture, nurseries and truck gardening for the propagation and cultivation only of plants, provided no retail or wholesale business shall be carried on upon the premises so used, and provided further that no obnoxious fertilizer is stored upon the premises and no obnoxious soil or fertilizer renovation is carried on upon the premises.”



The “new” code continues to allow “crop agriculture in all districts, including residential

Table 110-1
Residential Districts Use Table

USE GROUP	ZONING DISTRICT								
	R 80	R 10	R 7.5	R 6	R 5	R 2.5	R 1.5	R 0.5	R 0.3
Use Category									
•specific use type									
OTHER									
Agriculture, Crop	P	P	P	P	P	P	P	P	P
Agriculture, Animal	P	-	-	-	-	-	-	-	-

Table 120-1
Office, Business, and Commercial Districts Use Table

USE GROUP	ZONING DISTRICT				
	O	B1	B2	B3	B4
Use Category					
•specific use type					
OTHER					
Agriculture, Crop	P	P	P	P	P

Table 130-1
Downtown Districts Use Table

USE GROUP	Zoning District			Use Standard
	DC	DX	DR	
Use Category				
•specific use type				

However, even under the “new” code . . .

In residential areas
*when there is a residence/principal
use on the property,*
crop agriculture is not permitted.

And the “new” code did not allow:

- 1) a CSA (Community Supported Agriculture) to have shareholders work on the site; or,
- 2) a CSA to sell shares and provide shareholders with their produce at the site;



Neither the 'old' code or 'new' code allowed:

A home or a
community garden to sell
from the site (if residentially zoned),

although many home and community
gardeners have sold excess produce from
their gardens for many years

Preview

- Zoning has and continues to allow farming and gardening in all districts in the city.
- Request is (for sites zoned residentially) to:
 - Allow CSA's to conduct transactions on-site and have shareholders work on the site
 - Allow sale on site of products grown on the property:
 - A home garden
 - A community garden
 - A CSA in a **single family** district, with **special use permit**
 - A CSA in a **non-single family** district, with **temporary use permit**

The Urban Agriculture Ordinance . . .



Ordinance categorizes 'Agriculture' as:

- Agriculture, Crop
- Agriculture, Animal
- Agriculture, Urban
 - Home Garden
 - Community Garden
 - Community Supported Agriculture (CSA) Farm



Crop Agriculture

- An area of land managed and maintained by an individual or group of individuals
 - Off-site sale in locations where retail sales are an allowed use
 - Agriculture, crop may be a principal or accessory use.
- Grow and harvest food crops and horticultural products (including flowers, trees, and bees and apiary products)



Home Garden



- Maintained by one or more individuals who reside in a dwelling unit located on the subject property.
- Food and horticultural products grown in the home garden may be used for personal consumption or for donation or sale on-site.
- Accessory use to a principal residential use.



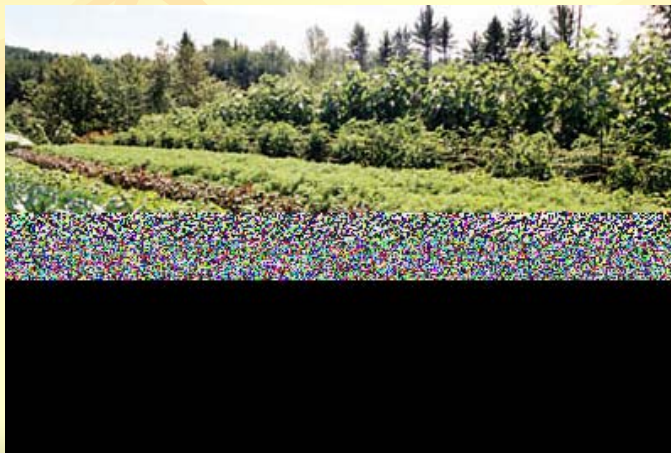
Community Garden



- Maintained by a group of individuals who may or may not live on the site
- May be divided into plots or farmed collectively
- Food and horticultural products grown on-site may be for personal or group consumption or donation or for sale
- May include common areas and sheds
- May be a principal or an accessory use



Community Supported Agriculture (CSA)



- Maintained by individuals or group
- Food and horticultural products grown for shareholder consumption or for sale or donation
- Shareholders pay for share of products and/or help on farm
- CSA may be a principal or an accessory use
- Standards are imposed (per section 88-312)

CSA (continued)

2. Special Use Permit Required

In the residential zoning districts, a CSA requires a special use permit, and shall be subject to standards.

A special use permit is first reviewed by the City Plan Commission, which then forwards a recommendation to the Board of Zoning Adjustment for final decision.

CSA Standards

1. Community Supported Agriculture (CSA) Standards

- (a) Garden and farm-related buildings and structures must comply with the accessory structure setback requirements that apply in the subject zoning district (See 88-305). Farmed areas must be set back at least 3 feet from all property lines. The required setback must be covered with ground cover plants, which may include grasses.
- (b) Row crops are not permitted in the front yard of a residentially zoned and occupied property, except property zoned R-80, if whole, uncut, fresh food and/or horticultural products grown on the CSA property are donated or sold onsite.

“Row crops” shall be defined as grain, fruit or vegetable plants, grown in rows, which are 24 inches or more in height. “Row crops” shall not mean cultivated or attended trees, bushes, or shrubbery less than 6 feet in height, or trees in excess of 6 feet in height, and shall not include grain, fruit or vegetable plants that are part of the front yard’s borders, that extend no more than 5 feet from the side property lines or from the front of the principal building.

...and other standards regulating storage of chemicals, drainage, storage of machinery.

Special Use Permit

- Some current conditional uses now termed special uses
- Special uses require case-by-case review
 - due to widely varying land uses and operational characteristics
 - to determine compatibility with surrounding uses and development patterns
- Application to City Plan Commission (CPC)
- CPC recommendation and application then forwarded to Board of Zoning Adjustment (BZA)
- Under the new code, the CPC makes a recommendation to the BZA.

Signage

One temporary sign advertising only the food or horticultural products grown on-site is allowed. The sign must be on-site, unilluminated, and must not exceed 6 square feet in area or 3 feet in height.

Summary

- Zoning has and continues to allow farming and gardening in all districts in the city.
- Revision made (for sites zoned residentially) to:
 - Allow CSA's to conduct transactions on-site and have shareholders, interns, and apprentices work on the site
 - Allow on-site sales for:
 - A home garden
 - A community garden
 - A CSA, with special use permit



- Sales of produce grown on-site is already permitted in all commercial and industrial districts.
- Per Table 110-1 above, District R-80, Residential 80 (current RA, Agriculture) also permits Agriculture, Animal (defined below).
- Also, agricultural districts AG-R (former GP-7, agricultural zoning in KCIA area) and KCIA (former GP-8, airport-owned property) permit crop and animal agricultural

- **88-805-06 Other Use Group** The other use group includes the following:
 - **88-805-06-A. Agriculture, Crop** The use of land for the production of row crops, field crops, tree crops; timber, bees, and apiary products.
 - **88-805-06-B. Agriculture, Animal** The feeding, breeding, raising or holding of cattle, swine, poultry or other livestock, whether held in a confinement area or open pasture.